

**Athersys**

i n c.

3201 CARNEGIE AVENUE • CLEVELAND, OH 44115-2634

TELEPHONE: (216) 431-9900

FACSIMILE: (216) 361-9495

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Betty Forman	Anne Brown, Esq.
COMPANY:	DATE:
U.S. Patent & Trademark Office	June 26, 2001
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(703) 308-8724	14
PHONE NUMBER:	SENDER'S PHONE NUMBER:
(703) 306-5878	(216) 426-3586
RE:	SENDER'S FAX NUMBER:
0221-0003O(C)	(216) 361-9495

☐ URGENT☐ PLEASE REPLY☒ ORIGINAL TO BE SENT AS CONFIRMATION

MESSAGE:

Re: U.S. Patent Application No. 09/760,897
Title: Compositions and Methods for Non-Targeted
Activation of Endogenous Genes
Attorney Docket No.: 0221-0003O(C)

Attached are the following documents:

- 1 - Certificate of Transmission under 37 C.F.R. 1.8 (1 page)
- 1 - Fee Determination Record Form (1 page)
- 1 - Fee Transmittal Form (1 page)
- 1 - Third Preliminary Amendment (10 pages)

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PTO/SB/07 (08-00)

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Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the
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on June 26, 2001

Date



Signature

Sophia L. Davis

Typed or printed name of person signing Certificate

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Attached are the following documents:

- 1 - Fee Determination Record Form (1 page)
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- 1 - Third Preliminary Amendment (10 pages)

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case.
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PTO/SB7 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **390.00**

Complete if Known

Application Number **09/760,897**
Filing Date **January 17, 2001**
First Named Inventor **Harrington, John J.**
Examiner Name **Forman, B.**
Group Art Unit **1655**
Attorney Docket No. **0221-00030(C)**

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments in:

Deposit Account Number **50-0622**

Deposit Account Name **SHANKS & HERBERT**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.77

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
105	320	206	160	Design filing fee	
107	480	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	-20** = 0	x 9.00 =	0.00
13	-3** = 10	x 38.00 =	390.00

Multiple Dependent

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 over original patent

SUBTOTAL (2) (\$) **390.00**

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Fee Code	Fee Code	Fee Code	Fee Description	Fee Paid
105	130	205	85	Surcharge - late filing fee of cash	
127	65	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
172	920*	172	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	880	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	510	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(a)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(b))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) **Anne Brown**

Signature

Anne Brown

Registration No.

(Attorney/Agent) **36,463**

Complete if applicable

Telephone **(703) 683-6197**

Date

June 26, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PTO/SB/06 (09-00)

10/31/2002 OMB 0451-0032

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PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number
Application No.: 09/760,897
Docket No.: 0221-00030(C)

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.161)		
TOTAL CLAIMS (37 CFR 1.162)	1 minus 20 = *	0
INDEPENDENT CLAIMS (37 CFR 1.163)	1 minus 3 = *	0
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.160)		

RATE	FEE
	\$ 355.00
x \$ 2.00 =	0.00
x 30.00 =	0.00
+ =	
TOTAL	\$355.00

RATE	FEE
	\$
x \$ =	
x =	
+ =	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.161)	* 20	Minus **	20 = 0
Independent (37 CFR 1.160)	* 13	Minus ***	3 = 10
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.160)			

RATE	ADDITIONAL FEE
x \$ 2.00 =	0.00
x 30.00 =	390.00
+ =	
TOTAL	\$390.00

RATE	ADDITIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.161)	* Minus **		
Independent (37 CFR 1.160)	* Minus ***		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.160)			

RATE	ADDITIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

RATE	ADDITIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.161)	* Minus **		
Independent (37 CFR 1.160)	* Minus ***		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.160)			

RATE	ADDITIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

RATE	ADDITIONAL FEE
x \$ =	
x =	
+ =	
TOTAL	

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.
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